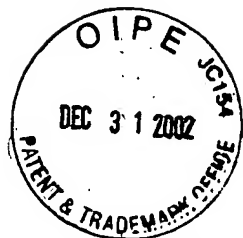


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DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **IDENTIFICATION OF SEEDS OR PLANTS USING PHENOTYPIC MARKERS**, the Specification of which:



is attached hereto.



was filed on **February 8, 2002** as Application Serial No. **10/071,272**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
(Number)	(Country)	(Date Filed)	Yes/No
60/327,801	U.S.	October 9, 2001	Yes
60/267,551	U.S.	February 9, 2001	Yes

I hereby direct that all correspondence and telephone calls be addressed to Patricia Kammerer, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, Texas 77057-2198, (713) 787-1400.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

MOBS:021--- (11899.0021.NPUS00)  
38-65(52664)B

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Inventor's Full Name:	Greg	A.	Penner	JAN 06 2003
Inventor's Signature:	<i>[Signature]</i>			
Country of Citizenship:	Canada	Date:	12/15/02	
Residence Address: (street, number, city, state, and/or country)	<del>260 Campbell Street, Winnipeg, Manitoba, Canada R3N 1B5</del> 14 Wolfondy Crescent, Guelph, Ontario, Canada N1G 2B7			
Post Office Address: (if different from above)				

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Inventor's Full Name:	Stefan	A.	Bledig
Inventor's Signature:	<i>[Signature: Stefan Bledig]</i>		
Country of Citizenship:	United States	Date:	11/13/02
Residence Address: (street, number, city, state, and/or country)	1908 Newburyport Road, Chesterfield, MO 63005 USA		
Post Office Address: (if different from above)			

Inventor's Full Name:	Timothy	W.	Conner
Inventor's Signature:	<i>[Signature: Timothy W. Conner]</i>		
Country of Citizenship:	United States	Date:	11/02/02 TWC
Residence Address: (street, number, city, state, and/or country)	989 Tara Oaks Drive, Chesterfield, MO 63005 USA		
Post Office Address: (if different from above)			

Inventor's Full Name:	Vergel	C.	Concibido
Inventor's Signature:	<i>[Signature: Vergel C. Concibido]</i>		
Country of Citizenship:	Philippines	Date:	10/07/02
Residence Address: (street, number, city, state, and/or country)	379 Birchwood Crossing Lane, Maryland Heights, MO 63043 USA		
Post Office Address: (if different from above)			



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

12/24/02  
Date

*Julinda A. Rangel*  
Signature

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Penner, Greg A.

Bledig, Stefan A.

Conner, Timothy W.

Vergel C. Concibido (Added herein)

Serial No.: 10 / 071,272

Filed: February 8, 2002

For: Identification of Seeds or Plants Using  
Phenotypic Markers

Group Art Unit: 1638

Examiner: To be assigned

Atty. Dkt. No.: 11898.0021.NPUS00  
(MOBS:021)

**CONSENT OF ASSIGNEE TO THE ADDITION OF A CO-INVENTOR IN  
ACCORDANCE WITH 37 C.F.R. §1.48(a)(5)**

Commissioner for Patents  
Washington, DC 20231

Sir:

The undersigned, who is empowered to act on behalf of MONSANTO TECHNOLOGY LLC (the assignee of Greg A. Penner, Stefan A. Bledig, Timothy W. Conner and Vergel C. Concibido for the above-referenced patent application), hereby consents, on behalf of MONSANTO TECHNOLOGY LLC, to the addition of Vergel C. Concibido as a co-inventor in U.S. Patent App. No. 10 / 071,272.

Documentary evidence of Assignee's ownership interest in the patent application was recorded in the U.S. Patent and Trademark Office on June 17, 2002 at reel number 013004 and frame number 0729 (assignment of Greg A. Penner, Stefan A. Bledig, and Timothy W. Conner to Monsanto Technology LLC). Further, filed concurrently herewith is an assignment from all inventors, including Vergel C. Concibido, assigning rights to the application. In compliance with 37 C.F.R. §3.73(c)(2), the undersigned hereby states that Monsanto Technology LLC has a 100 percent ownership interest in the above captioned patent application.

By: Grace L. Bonner  
Name: Grace L. Bonner  
Registration No. 32,963  
Title: Intellectual Property Counsel  
MONSANTO TECHNOLOGY LLC  
Date: Sept 23, 2002

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

SELL, ASSIGN AND TRANSFER to **Monsanto Technology LLC (the "Assignee")**, having a place of business at 800 N. Lindbergh Boulevard, St. Louis, Missouri 63167, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the

United States Provisional application Serial No. **60/267,551** filed February 9, 2001 and Serial No. **60/327,801**, filed October 9, 2001;

PCT application **PCT/US02/03545** filed February 8, 2002;

United States Patent Application Serial No. **10/071,272**, filed February 8, 2002; and

United States Patent Application Serial No. **10/214,931**, filed August 8, 2002.

all entitled "Identification of Seeds or Plants Using Phenotypic Markers", such applications and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: [Signature] Date: Oct 8th, 2002  
Name: Greg A. Penner

PROVINCE OF MANITOBA )  
 ) ss.  
CITY OF WINNIPEG )

BEFORE ME, the undersigned authority, on this 8<sup>th</sup> day of October, 2002, personally appeared Greg A. Penner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

[Signature]  
Notary or Consular Officer  
Public in & for the Province  
of Manitoba, Canada

Signature: [Signature] Date: 10/11/02  
Name: Stefan A. Bledig

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF ST. LOUIS )

BEFORE ME, the undersigned authority, on this 11th day of October, 2002, personally appeared Stefan A. Bledig, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

[Signature]  
Notary or Consular Officer

JUDITH A. LORENZ  
Notary Public - State of Missouri  
St. Louis County  
My Commission Expires: November 20, 2003

Signature: Timothy W. Conner  
 Name: Timothy W. Conner

Date: 10/15/02

STATE OF MISSOURI )  
 ) ss.  
 COUNTY OF ST. LOUIS )

BEFORE ME, the undersigned authority, on this 15<sup>th</sup> day of October, 2002, personally appeared Timothy W. Conner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

JUDITH A. LORENZ  
 Notary Public - State of Missouri  
 St. Louis County  
 My Commission Expires: November 20, 2003

Judith A. Lorenz  
 Notary or Consular Officer

Signature: Vergel C. Concibido  
 Name: Vergel C. Concibido

Date: 10/16/02

STATE OF MISSOURI )  
 ) ss.  
 COUNTY OF ST. LOUIS )

BEFORE ME, the undersigned authority, on this 16<sup>th</sup> day of October, 2002, personally appeared Vergel C. Concibido, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

Marcia M. Barrett  
 Notary or Consular Officer

MARCIA M. BARRETT  
 NOTARY PUBLIC—STATE OF MISSOURI  
 MY COMMISSION EXPIRES OCT. 9, 2005  
 ST. LOUIS COUNTY

HOWERY SIMON ARNOLD & WHITE, LLP  
 750 Bering Drive  
 Houston, Texas 77057-2198